

**IN THE DISTRICT COURT OF THE UNITED STATES
For the Western District of New York**

March 2008 Grand Jury
Empaneled March 27, 2008

The United States of America

INDICTMENT

- vs -

Violations:

AMAR SCOTT, a/k/a "A";
(Counts 1, 8, 9, 11, 12, 18)
JOHN SIMMONS;
(Counts 1, 8, 9, 22)
YULANDER GREEN, a/k/a "L", "Lander";
(Counts 1, 8, 9, 14, 19)
JERRICK DENSON, a/k/a "D";
(Counts 1 - 10, 20)
ISAIAH WOODS, a/k/a "Izzy"
(Counts 1, 8, 9, 10)
MICHAEL JACKSON, a/k/a "Boosum", "Boots"
(Counts 1, 8, 9, 10, 21)
RUSSELL HAMPTON, a/k/a "TJ";
(Counts 1, 8, 9, 10)
LAMAR SIMMONS, a/k/a "Lil Daddy";
(Counts 1, 8, 9)
JAVONNE JACKSON, a/k/a "Von", "Dutch";
(Counts 1, 8)
DEARICK SMITH, a/k/a "Lil D", "Ace";
(Counts 1, 8, 9, 15, 16, 17)
DEREK TAYLOR, a/k/a "Swiff";
(Counts 1, 8, 9, 10)
MICHAEL WALKER, a/k/a "Awol";
(Counts 1, 8)
JEFFREY DENSON, a/k/a "Jeff", "Blue";
(Counts 1, 8, 9)
MARCUS JOHNSON, a/k/a "Miggs";
(Counts 1, 8)
MARVIN SIMMONS, Jr. a/k/a "Jr", "Junior";
(Counts 1, 8, 11, 12, 13)
CAMERON CHARLES, a/k/a "Cam";
(Counts 1, 8, 10)
TRAVIS HOUNSHELL, a/k/a "Trav";
(Counts 1, 8)

18 U.S.C. §§ 924(c)(1),
1956(h), 1959(a)(1),
1959(a)(3), 1959(a)(5),
1962(d) and 2

21 U.S.C. §§ 841(a)(1),
846 and 856(a)

BRANDON WHEELER, a/k/a "Weed", "Little Man";

(Counts 1, 8, 10)

MICHAEL NESMITH;

(Counts 1, 8, 10)

JEREMIAH NETTLES;

(Count 8)

JOSEPH LOVING;

(Counts 8, 10)

HARRY NESMITH;

(Count 8)

LYNNARD DAVIS;

(Counts 8, 11, 13)

JANICE SNIPES

(Counts 8, 14)

COUNT ONE

The Grand Jury Charges:

THE ENTERPRISE

At various times relevant to this indictment:

1. Defendants:

AMAR SCOTT, a/k/a "A";

JOHN SIMMONS;

YULANDER GREEN, a/k/a "L", "Lander";

JERRICK DENSON, a/k/a "D";

ISAIAH WOODS, a/k/a "Izzy";

MICHAEL JACKSON, a/k/a "Boosum", "Boots";

RUSSELL HAMPTON, a/k/a "TJ";

LAMAR SIMMONS, a/k/a "Lil Daddy";

JAVONNE JACKSON, a/k/a "Von", "Dutch";

DEARICK SMITH, a/k/a "Lil D", "Ace";

DEREK TAYLOR, a/k/a "Swiff";

MICHAEL WALKER, a/k/a "Awol";

JEFFREY DENSON, a/k/a "Jeff", "Blue";

MARCUS JOHNSON, a/k/a "Miggs";

MARVIN SIMMONS, Jr. a/k/a "Jr", "Junior";

CAMERON CHARLES, a/k/a "Cam";

TRAVIS HOUNSHELL, a/k/a "Trav";

BRANDON WHEELER, a/k/a "Weed", "Little Man";

MICHAEL NESMITH

together with others, known and unknown to this Grand Jury,

including Juvenile Male #1 and Juvenile Male #2, were all members and associates of a criminal organization known as the Chain Gang/Wolfpack street gang, whose members and associates engaged in acts involving ongoing narcotics distribution and multiple acts of violence involving murder, attempted murder, and other crimes, and which operated on the east side of the city of Rochester, Western District of New York.

2. The Chain Gang/Wolfpack street gang, including its leadership, members and associates, constituted an "enterprise" as defined by Title 18, United States Code, Sections 1959(b)(2) and 1961(4), that is, a group of individuals associated in fact that was engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

PURPOSE OF THE ENTERPRISE

3. The Chain Gang/Wolfpack street gang operates within a multi-block area on the east side of the City of Rochester, New York, centered in and around Chamberlain Street, Garson Avenue, Grand Avenue and Hayward Avenue. The leaders, members and associates of Chain Gang/WolfPack sought to:

- a. Enrich members and associates of the Chain Gang/Wolfpack through, among other things, murder and the distribution of narcotics, including cocaine and cocaine base; and
- b. Preserve, protect the Chain Gang/Wolfpack drug trafficking operations and profits and its other criminal ventures through the use of violence and threats of violence against members of rival criminal organizations or persons; and
- c. Promote and enhance the reputation and position of the Chain Gang/Wolfpack street gang with respect to rival criminal organizations and narcotics traffickers; and
- d. Keeping victims in fear of the enterprise and in fear of its members and associates through threats of violence and violence.

MEANS AND METHODS OF THE ENTERPRISE

4. For the greater part of this decade, numerous individuals have become associated with or members of a violent street gang which label themselves Chain Gang/Wolfpack. The street gang was originally conceived by James "Drama" Snipes along with several of his associates. Several factors have historically determined whether one is able to become or remain a member of the Chain Gang/Wolfpack street gang, which include: long term residence within Chain Gang/Wolfpack territory; familial connections; close relationships with current gang members; a demonstrated ability to obtain and/or sell controlled substances for profit; and, a demonstrated willingness to engage in violent behavior to further the gang's drug trafficking activities, protect its reputation and secure its territory from outsiders. The gang has several divisions even within its own ranks, generally based upon age, longevity with the gang and the extent of their familial relationships.

5. For most Chain Gang/Wolfpack gang members, the sale of controlled substances is their sole source of income. Generally speaking, older members of the Chain Gang/Wolfpack street gang have acted as controlled substance suppliers for the younger members, who in turn sell on the streets, thereby insulating the more senior members of the Chain Gang/Wolfpack street gang from exposure to criminal liability. Older members have a demonstrated ability to

purchase narcotics from mid to upper level narcotics dealers (most of whom are non-Chain Gang/Wolfpack members), and are generally in a better financial situation to purchase larger quantities of narcotics for less expensive prices. Older members will then supply younger members with narcotics. When the younger members sell the crack cocaine, they keep a portion of the proceeds as profit, and use the balance to buy more narcotics from the senior members of Chain Gang/WolfPack. Younger members will often "pool" their money together to make purchases of larger quantities of cocaine or cocaine base, either from within the gang itself or from outside suppliers.

6. In an effort to preserve the continued viability of the gang, gang members routinely guard their territory and resort to acts of violence, if necessary, to ensure that no rival gang members or drug traffickers encroach upon their territory to sell drugs, or for any other reason. If a non-Chain Gang/Wolfpack street gang member attempts to sell controlled substances within their territory, either on their own, or in conjunction with a rival gang, they will be summarily dismissed from the area and, more likely, physically assaulted or shot. By tightly controlling their defined geographic area, the Chain Gang/Wolfpack street gang members maintain an exclusive territory within which only Chain Gang/Wolfpack street gang members and their associates are

permitted to distribute controlled substances.

7. In addition to protecting territory, all Chain Gang/Wolfpack street gang members are expected to retaliate when outsiders, including rival gang members, commit acts of disrespect or violence against one or more of the Chain Gang/Wolfpack street gang members. Members feel that the failure to do so will lessen their stature within the gang community in Rochester and likewise threaten their territory.

8. Chain Gang/Wolfpack street gang members have routinely and openly armed themselves with firearms in order to protect their territory, to protect their drug trade, to project a violent attitude to rival gang members, and to retaliate against persons who commit acts of violence against any Chain Gang/Wolfpack street gang members.

9. Leadership positions within the gang are generally earned over time. However, several factors are involved in determining who occupies leadership positions, including one's age or longevity within the gang, strength of familial connections within the gang, success in drug sales and accumulation of monies, the ability to obtain larger quantities of controlled substances to distribute within the gang, and the demonstrated willingness to engage in

violent acts or otherwise project a violent attitude on behalf of the gang. Since at least 2006, the senior members of the Chain Gang/Wolfpack street gang maintaining a leadership position within the gang include Amar Scott, Yulander Green, John Simmons and Jerrick Denson.

THE RACKETEERING CONSPIRACY

10. Beginning in or about January 2006, the exact date being unknown to the grand jury, and continuing thereafter up to the date of the indictment, in the Western District of New York and elsewhere, the defendants:

AMAR SCOTT, a/k/a "A";
 JOHN SIMMONS;
 YULANDER GREEN, a/k/a "L", "Lander";
 JERRICK DENSON, a/k/a "D";
 ISAIAH WOODS, a/k/a "Izzy";
 MICHAEL JACKSON, a/k/a "Boosum", "Boots";
 RUSSELL HAMPTON, a/k/a "TJ";
 LAMAR SIMMONS, a/k/a "Lil Daddy";
 JAVONNE JACKSON, a/k/a "Von", "Dutch";
 DEARICK SMITH, a/k/a "Lil D", "Ace";
 DEREK TAYLOR, a/k/a "Swiff";
 MICHAEL WALKER, a/k/a "Awol";
 JEFFREY DENSON, a/k/a "Jeff", "Blue";
 MARCUS JOHNSON, a/k/a "Miggs";
 MARVIN SIMMONS, Jr. a/k/a "Jr", "Junior";
 CAMERON CHARLES, a/k/a "Cam";
 TRAVIS HOUNSHELL, a/k/a "Trav";
 BRANDON WHEELER, a/k/a "Weed", "Little Man";
 MICHAEL NESMITH

together with others, known and unknown to the grand jury,

including Juvenile Male #1 and Juvenile Male #2, being persons employed by and associated with the enterprise known as the Chain Gang/Wolfpack street gang, described in paragraphs 1 through 9 of this Indictment, which enterprise engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully, knowingly and intentionally, did combine, conspire, confederate, and agree together and with each other and with others known and unknown to the grand jury, to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisting of multiple acts involving: (1) murder, in violation of New York Penal Law sections 125.25, 110.00 and 105.17, and (2) narcotics trafficking, including conspiracy to possess with intent to distribute 50 grams or more of a mixture and substance containing cocaine base (crack), and 5 kilograms or more of a mixture and substance containing cocaine, both Schedule II controlled substances, and, possession with intent to distribute, and distribution, of 50 grams or more of a mixture and substance containing cocaine base (crack), and 5 kilograms or more of a mixture and substance containing cocaine, both Schedule II controlled substances, all in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and 846.

11. It was part of the conspiracy that each defendant agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the enterprise.

OVERT ACTS

In furtherance of the conspiracy and in order to effect the objects thereof, the defendants and their co-conspirators, known and unknown to the grand jury, committed and caused certain overt acts to be committed in the Western District of New York, which include, but are *not limited* to the following:

1. On or about June 9, 2006, at 667 Garson Avenue in Rochester, New York, **RUSSELL HAMPTON, a/k/a "TJ"**, was in possession of a loaded Hi-Point 9mm semi-automatic, two boxes of .357 and .380 ammunition, drug paraphernalia, cocaine base, and a black neoprene ski mask.

2. On or about November 6, 2006, at or near 460 Garson Avenue, Rochester, NY, **LAMAR SIMMONS, a/k/a "Lil' Daddy"** did attempt to assault Brandon Dayman to prevent him from selling controlled substances from his residence.

3. On or about November 15, 2006, at 4 Laura Street, Rochester, New York, **JAVONNE JACKSON, a/k/a "Von", "Dutch"** and

CAMERON CHARLES, a/k/a "Cam", were found in possession of 29 grams of crack cocaine and \$326.

4. On or about December 2, 2006, **LAMAR SIMMONS, a/k/a "Lil Daddy"** and **MICHAEL JACKSON, a/k/a Boosum", "Boots"**, were together at 391 Garson, Rochester, New York, where police found a loaded Baretta handgun and a quantity of crack cocaine in the basement.

5. On or about January 20, 2007, **ISAIAH WOODS, a/k/a "Izzy"** and **MICHAEL JACKSON, a/k/a "Boosum", "Boots"**, were driving in a car together, which was found to contain both marijuana and cocaine base.

6. On February 20, 2007, at or near Grand Avenue and Chamberlain Streets, **LAMAR SIMMONS, a/k/a "Lil Daddy"**, did possess a loaded Rohm .22 caliber revolver on his person.

7. On or about February 23, 2007, at or near Garson Avenue and Chamberlain Street, Rochester, NY, **DEARICK SMITH, a/k/a "Lil D", "Ace"**, attempted to murder Victim A, Victim B and Victim C.

8. On or about March 3, 2007, at or near 430-432 Garson Avenue, Rochester, NY, **DEARICK SMITH, a/k/a "Lil D", "Ace", MICHAEL**

NESMITH and Juvenile Male #1 were found in possession of numerous rounds of .762 ammunition, .380 caliber ammunition, .22 caliber ammunition, and a spent .223 casing.

9. On or about March 10, 2007, on or near Garson Avenue, Rochester, NY, **JERRICK DENSON, a/k/a "D"**, possessed a quantity of cocaine base.

10. On or about March 17, 2007, at or near 522 Garson Avenue, Rochester, NY, **DEARICK SMITH, a/k/a "Lil D", "Ace"**, was found in possession of a quantity of cocaine base and US currency.

11. On or about April 23, 2007, on or near Rosewood Terrace in Rochester, NY, Juvenile Male #1 and Juvenile Male #2, and others, known and unknown to the grand jury, attempted to murder Victim D.

12. On or about April 23, 2007, at or near Rosewood Terrace in Rochester, NY, Juvenile Male #1 and Juvenile Male #2, and others, known and unknown to the grand jury assaulted Victim D.

13. On or about June 14, 2007, at or near 405 Melville Street, Rochester, NY, **JERRICK DENSON, a/k/a "D"** and Juvenile Male

#2 attempted to murder Victim E.

14. On or about June 16, 2007, at or near 801 North Goodman Street, Rochester, NY, **DEREK TAYLOR, a/k/a "Swiff"** and several other associates possessed a stolen .22 caliber Ruger revolver.

15. On or about June 16, 2007, at or near 63 Rohr Street, Rochester, NY, Juvenile Male #1 murdered Carmella Rogers.

16. On or about July 13, 2007, at or near 191 Chamberlain Street, Rochester, NY, **JERRICK DENSON, a/k/a "D"**, possessed a quantity of cocaine base.

17. On or about July 24, 2007, at or near 252 Cedarwood Avenue, Rochester, NY, Juvenile Male #1 possessed a quantity of cocaine base.

18. On or about August 31, 2007, at or near 196 Hazelwood Terrace, Rochester, NY, **RUSSELL HAMPTON, a/k/a "TJ"**, possessed a quantity of cocaine base.

19. On or about November 8, 2007, at or near 545 Hayward Avenue, **JEFFREY DENSON, a/k/a "Jeff", "Blue"**, was in possession of

a quantity of cocaine base, a disassembled AR-15 rifle, razor blades and glass plates, each with white residue which tested positive for cocaine.

20. On or about December 15, 2007, at or near 55-57 Hazelwood Avenue, Rochester, New York, **JERRICK DENSON, a/k/a "D", ISAIAH WOODS, a/k/a "Izzy", MICHAEL JACKSON, a/k/a "Boosum", "Boots", and CAMERON CHARLES, a/k/a "Cam",** were present together where police located scales and drug baggies, along with a gun holster.

21. On December 18, 2007, at or near Diringer Place, Rochester, NY, **JERRICK DENSON, a/k/a "D",** along with **ISAIAH WOODS, a/k/a "Izzy", CAMERON CHARLES, a/k/a "Cam", and MICHAEL JACKSON, a/k/a "Boosum", "Boots"** were all together in a vehicle wearing similar jackets each having "Chaingang" written upon them.

22. In or about January 2008, at or near Parsells Avenue, **JERRICK DENSON, a/k/a "D",** took receipt of three stolen firearms, including one (1) Smith and Wesson, .38 caliber revolver, one (1) Ruger, .22 caliber, semi-automatic handgun, and , one (1) Smith and Wesson, .22 caliber revolver.

23. On or about March 2, 2008, at or near East Main Street and Mortimer Street, Rochester, NY, **ISAIAH WOODS, a/k/a "Izzy",**

possessed one (1) stolen Smith and Wesson, .22 caliber revolver referred to above.

24. On March 20, 2008, at or near 211 Parsells Avenue, Rochester, NY, police located **CAMERON CHARLES, a/k/a "Cam"**, **DEREK TAYLOR, a/k/a Swiff"**, and **BRANDON WHEELER, a/k/a "Weed"**, **"Little Man"**, and other associates, all together inside the location. There were numerous rounds of ammunition in plain view, along with drug paraphernalia.

25. On or about April 3, 2008, at or near 55-57 Hazelwood Terrace, **ISAIAH WOODS, a/k/a "Izzy"**, **JERRICK DENSON, a/k/a "D"**, and other associates were in possession of a quantity of cocaine base, scales and US currency.

26. On or about April 6, 2008, at or near Garson Avenue, Rochester NY, **MICHAEL WALKER, a/k/a "Awol"**, was in possession of a quantity of cocaine base.

27. On or about April 17, 2008, at or near 543 Garson Avenue, Rochester, NY, a Chain Gang hangout, police seized two loaded handguns and a quantity of cocaine base.

28. On or about May 19, 2008, at various times during that day, at or near the intersection of Laura Street and Hayward

Avenue, **AMAR SCOTT a/k/a "A"**, **JAVONNE JACKSON, a/k/a "Von "Dutch"** and other associates were together conducting sales of cocaine base, and they possessed a quantity of cocaine base with intent to distribute.

29. On or about May 21, 2008, at or near 536 Hayward Avenue, a male juvenile offender was observed selling cocaine base for **AMAR SCOTT, a/k/a "A"**, and the male juvenile offender possessed a quantity of cocaine base.

30. On or about May 22, 2008, at or near Hayward Avenue, the same male juvenile offender was observed selling cocaine base for **AMAR SCOTT, a/k/a "A"**, and this male juvenile offender possessed a quantity of cocaine base.

31. On or about May 23, 2008, at or near 4 Laura Street, Rochester, NY, **JOHN SIMMONS** distributed a quantity of cocaine base.

32. On or about May 28, 2008, at or near 509 Hayward Avenue, Rochester, NY, **AMAR SCOTT, a/k/a "A"**, distributed a quantity of cocaine base.

33. On or about May 30, 2008, at or near 334 Grand Avenue, Rochester, NY, Lynnard Davis, at the direction of **AMAR SCOTT, a/k/a**

"A", and **MARVIN SIMMONS, a/k/a "Jr", "Junior"**, distributed a quantity of cocaine base.

34. On or about June 3, 2008, at or near 334 Grand Avenue, Rochester, NY, **AMAR SCOTT, a/k/a "A"**, distributed a quantity of cocaine base.

35. On or about June 7, 2008, at or near Helena Street, **AMAR SCOTT, a/k/a "A"**, and **MARVIN SIMMONS, a/k/a "Jr", "Junior"**, were together in a vehicle. They were found to be in possession of a quantity of cocaine base.

36. On or about June 12, 2008, at or near 334 Grand Avenue, Rochester, NY, **MICHAEL JACKSON, a/k/a "Boosum", "Boots"**, distributed a quantity of cocaine base.

37. On or about June 18, 2008, at or near 260 Webster Avenue, Harry Nesmith, who was then working for **AMAR SCOTT, a/k/a "A"**, and **MARVIN SIMMONS, a/k/a "Jr", "Junior"**, distributed cocaine base and possessed a quantity of cocaine base with the intent to distribute.

38. On or about June 23, 2008, at or near 334 Grand Avenue, Rochester, NY, **AMAR SCOTT, a/k/a "A"**, distributed a quantity of cocaine base.

39. On or about June 26, 2008, at or near 334 Grand Avenue, Rochester, NY, **MARVIN SIMMONS, a/k/a "Jr" "Junior"**, Lynnard Davis

and James Ross were in possession of a quantity of cocaine base.

40. On or about July 7, 2008, at or near 545 Hayward Avenue, an unindicted coconspirator distribute a quantity of cocaine base.

41. On or about July 8, 2008, at or near 545 Hayward Avenue, Rochester, NY, **MICHAEL NESMITH** was in possession of a quantity of cocaine base.

42. On or about July 24, 2008, at or near 509 Hayward Avenue, Rochester, NY, **MICHAEL JACKSON, a/k/a "Boosum", "Boots"**, was in possession of a quantity of cocaine base.

43. On or about August 6, 2008, **YULANDER GREEN, a/k/a "L", "Lander"**, was in possession of a quantity of cocaine base.

44. On or about August 7, 2008, at or near Monroe Avenue, Rochester, NY, **MICHAEL JACKSON, a/k/a "Boosum", "Boots"**, and **DEARICK SMITH, a/k/a "Lil D", "Ace"**, were together in a vehicle. **DEARICK SMITH, a/k/a "Lil D", "Ace"**, was in possession of a loaded .32 caliber handgun, five bags of cocaine base and a gold medallion.

45. On or about August 12, 2008, at or near Ferndale Crescent, Rochester, NY, **JEFFREY DENSON, a/k/a "Jeff", "Blue"**, and

RUSSELL HAMPTON, a/k/a "TJ", were in possession of cocaine base and large sums of US currency.

46. On or about August 12, 2008, at or near 167 Grand Avenue, a Chain Gang hangout, an unindicted co-conspirator distributed cocaine base.

47. On or about September 2, 2008, at or near 167 Grand Avenue, **TRAVIS HOUNSHELL, a/k/a "Trav"**, distributed a quantity of cocaine base.

48. On or about September 2, 2008, at or near 535 Hayward Avenue, Rochester, NY, **JEFFREY DENSON, a/k/a "Jeff", "Blue"**, distributed a quantity of cocaine base.

49. On or about September 9, 2008, in the area of Garson Avenue and Beechwood Avenue, Rochester, NY, **AMAR SCOTT, a/k/a "A"**, and **MICHAEL JACKSON, a/k/a "Boosum", "Boots"**, were together distributing cocaine base.

50. On or about September 9, 2008, at or near 509 Hayward Avenue, Rochester, NY, **YULANDER GREEN, a/k/a "L", "Lander"**, possessed and distributed cocaine base.

51. On or about September 18, 2008, at or near 545 Hayward Avenue, Rochester, NY, **MICHAEL JACKSON, a/k/a "Boosum", "Boots"**,

JERRICK DENSON, a/k/a "D", DEARICK SMITH, a/k/a "Lil D", "Ace", MICHAEL NESMITH, and JEFFREY DENSON, a/k/a "Jeff", "Blue", and other associates, were all together. At that time, JEFFREY DENSON, a/k/a "Jeff", "Blue" distributed a quantity of cocaine base.

52. On or about September 18, 2008, at or near 545 Hayward Avenue, Rochester, NY, JEFFREY DENSON, a/k/a "Jeff", "Blue" possessed and distributed a quantity of cocaine base.

53. On or about September 25, 2008, at or near Beechwood and Hayward Avenues, JERRICK DENSON, a/k/a "D", possessed and distributed a quantity of cocaine base.

54. On or about September 25, 2008, at or near 461 Parsells Avenue, JERRICK DENSON, a/k/a "D", attempted to murder Victim F.

55. On or about September 25, 2008, at or near 461 Parsells Avenue, JERRICK DENSON, a/k/a "D", assaulted Victim G with a dangerous weapon.

56. On or about October 1, 2008, in Penfield, NY, JERRICK DENSON, a/k/a "D", possessed a quantity of cocaine and US currency.

57. On or about October 1, 2008, at or near 334 Garson Avenue

(upstairs), **BRANDON WHEELER, a/k/a "Weed", "Little Man"**, was in possession of drug paraphernalia and .380 caliber ammunition.

58. On or about October 16, 2008, at or near 173 Grand Avenue, **DEREK TAYLOR, a/k/a "Swiff"**, distributed cocaine base.

59. On or about October 22, 2008, at or near 173 Grand Avenue, **TRAVIS HOUNSHELL, a/k/a "Trav"**, distributed a quantity of cocaine base and possessed a quantity of cocaine base with the intent to distribute.

60. On or about October 30, 2008, at or near 332-334 Garson Avenue, Rochester, NY, **TRAVIS HOUNSHELL, a/k/a "Trav"**, distributed a quantity of cocaine base.

61. On or about October 30, 2008, at or near 332-334 Garson Avenue, Rochester, New York, **BRANDON WHEELER, a/k/a "Weed", "Little Man"**, and **DEREK TAYLOR, a/k/a "Swiff"**, were together at the location.

62. On or about November 6, 2008, on Garson Avenue, Rochester, NY, **DEREK TAYLOR, a/k/a "Swiff"**, distributed an imitation controlled substance appearing to be cocaine base.

63. On or about November 6, 2008, at or near Chamberlain

Street, Rochester, NY, **YULANDER GREEN, a/k/a "L", "Lander",** distributed an imitation controlled substance appearing to be cocaine base.

64. On or about November 21, 2008, at or near 341 Garson Avenue, **TRAVIS HOUNSHELL, a/k/a "Trav",** distributed a quantity of cocaine base.

65. On or about December 4, 2008, at or near 341 Garson Avenue, **TRAVIS HOUNSHELL, a/k/a "Trav",** distributed a quantity of cocaine base.

66. On or about December 16, 2008, in the area of 6 Laura Street and 443 Hayward Avenue, **AMAR SCOTT, a/k/a "A",** was involved in sales of controlled substances.

67. On or about December 17, 2008, in the area of 6 Laura Street and 443 Hayward Avenue, **AMAR SCOTT, a/k/a "A",** and **MARCUS JOHNSON, a/k/a "Miggs",** were involved in the possession and sale of controlled substances.

68. On or about January 16, 2009, at or near 383 Hayward Avenue, Rochester, NY, **JEFFREY DENSON, a/k/a "Jeff", "Blue",** and other unindicted coconspirators distributed a quantity of cocaine

base and possessed with the intent to distribute a quantity of cocaine base.

69. On or about February 6, 2009, at or near 61 Arch Street, Rochester, NY, **JEFFREY DENSON, a/k/a "Jeff", "Blue"**, was in possession of razor blades and numerous new and unused baggies.

70. On or about February 10, 2009, at or near the intersection of Grand Avenue and Chamberlain Street, Juvenile Male #1 and **MICHAEL NESMITH** were standing together on the street.

71. On or about February 26, 2009, at 22 Gladys Street, Rochester, NY, **ISAIAH WOODS, a/k/a "Izzy"**, distributed a quantity of cocaine base.

72. On or about March 5, 2009, at or near the intersection of Garson Avenue and Chamberlain Street, **MICHAEL WALKER, a/k/a "Awol"**, distributed a quantity of cocaine base.

73. On or about March 5, 2009, at or near 1548 East Main Street, **MICHAEL NESMITH** and an unindicted co-conspirator distributed a quantity of cocaine base.

74. On or about March 9, 2009, at or near 370 Garson Avenue,

Rochester, NY, **TRAVIS HOUNSHELL, a/k/a "Trav"**, distributed a quantity of cocaine base.

All in violation of Title 18, United States Code, Section 1962(d).

COUNT TWO

Violent Crime in Aid of Racketeering Activity

12. The Grand Jury incorporates by reference paragraphs 1 - 9, as if fully restated and realleged herein.

13. At all times relevant to this Indictment, the Chain Gang/Wolfpack street gang constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), namely the Chain Gang/Wolfpack street gang, that is, a group of individuals associated in fact which was engaged in, and the activities of which affected, interstate and foreign commerce. The enterprise constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise.

14. At all times relevant to this Indictment, the above-

described enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, acts involving (1) murder, in violation of New York Penal Law sections 125.25, 110.00 and 105.17, and (2) narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

15. On or about June 14, 2007, in the Western District of New York, the defendant, **JERRICK DENSON, a/k/a "D"**, and Juvenile Male #2, for the purpose of maintaining and increasing position in the Chain Gang/Wolfgang pack gang, an enterprise engaged in racketeering activity, did unlawfully and knowingly attempt to murder Victim "E", due to a dispute between the Chain Gang/Wolfgang pack gang and another criminal organization, in violation of New York Penal Law Section 125.25(1) and 20.00.

All in violation of Title 18, United States Code, Sections 1959(a)(5) and 2.

COUNT THREE

Use of a Firearm
The Grand Jury Further Charges:

16. On or about June 14, 2007, in the Western District of New York, the defendant, **JERRICK DENSON, a/k/a "D"**, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, a violation of Title 18, United States Code, Section 1959(a)(5), as set forth in Count Two of this Indictment, the allegations of which are incorporated herein by reference, did knowingly and unlawfully use, carry and discharge a firearm, and in furtherance of the said crime of violence, did knowingly and unlawfully possess and discharge a firearm.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii) and 2.

COUNT FOUR

Violent Crime in Aid of Racketeering Activity

The Grand Jury Further Charges:

17. The allegations contained in paragraphs 1-9 and 13-14 are realleged and incorporated as if fully set forth in this paragraph.

18. On or about September 25, 2008, in the Western District of New York, the defendant, **JERRICK DENSON, a/k/a "D"**, for the purpose of maintaining and increasing position in the Chain

Gang/Wolfpack gang, an enterprise engaged in racketeering activity, did unlawfully and knowingly attempt to murder Victim F, due to a dispute between the Chain Gang/Wolfpack gang and another criminal organization, in violation of New York Penal Law Section 125.25 and 20.00.

All in violation of Title 18, United States Code, Section 1959(a)(5).

COUNT FIVE

Use of a Firearm

The Grand Jury Further Charges:

19. On or about September 25, 2008, in the Western District of New York, the defendant, **JERRICK DENSON, a/k/a "D"**, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, a violation of Title 18, United States Code, Section 1959(a)(5), as set forth in Count Four of this Indictment, the allegations of which are incorporated herein by reference, did knowingly and unlawfully use, carry and discharge a firearm, and in furtherance of said crime of violence, did knowingly and unlawfully possess and discharge a firearm.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

COUNT SIX

Violent Crime in Aid of Racketeering Activity

The Grand Jury Further Charges:

20. The allegations contained in paragraphs 1-9 and 13-14 are realleged and incorporated as if fully set forth in this paragraph.

21. On or about September 25, 2008, in the Western District of New York, the defendant, **JERRICK DENSON, a/k/a "D"**, for the purpose of maintaining and increasing position in the Chain Gang/Wolfpack gang, an enterprise engaged in racketeering activity, did unlawfully and knowingly assault with a dangerous weapon, and aid and abet the assault with a dangerous weapon, Victim G, in relation to a dispute between the Chain Gang/Wolfpack gang and another criminal organization, in violation of New York Penal Law Section 120.05(2) and 20.00.

All in violation of Title 18, United States Code, Section 1959(a)(3).

COUNT SEVEN

Use of a Firearm

The Grand Jury Further Charges:

22. On or about September 25, 2008, in the Western District of New York, the defendant, **JERRICK DENSON, a/k/a "D"**, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, that is, a violation of Title 18,

United States Code, Section 1959(a)(3), as set forth in Count Six of this Indictment, the allegations of which are incorporated herein by reference, did knowingly and unlawfully use, carry and discharge a firearm, and in furtherance of said crime of violence, did knowingly and unlawfully possess and discharge a firearm.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(iii).

COUNT EIGHT

Narcotics Conspiracy

The Grand Jury Further Charges:

Beginning in or about January 2006, the exact date being unknown to the grand jury, and continuing thereafter up to the date of the Indictment, in the Western District of New York and elsewhere, the defendants:

AMAR SCOTT, a/k/a "A";
JOHN SIMMONS;
YULANDER GREEN, a/k/a "L", "Lander";
JERRICK DENSON, a/k/a "D";
ISAIAH WOODS, a/k/a "Izzy";
MICHAEL JACKSON, a/k/a "Boosum", "Boots";
RUSSELL HAMPTON, a/k/a "TJ";
LAMAR SIMMONS, a/k/a "Lil Daddy";
JAVONNE JACKSON, a/k/a "Von", "Dutch";
DEARICK SMITH, a/k/a "Lil D", "Ace";

DEREK TAYLOR, a/k/a "Swiff";
MICHAEL WALKER, a/k/a "Awol";

JEFFREY DENSON, a/k/a "Jeff", "Blue";
MARCUS JOHNSON, a/k/a "Miggs";
MARVIN SIMMONS, a/k/a "Jr", "Junior";
CAMERON CHARLES, a/k/a "Cam";
TRAVIS HOUNSHELL, a/k/a "Trav";
BRANDON WHEELER, a/k/a "Weed"; "Little Man";
MICHAEL NESMITH;
JEREMIAH NETTLES;
JOSEPH LOVING;
HARRY NESMITH;
LYNNARD DAVIS;
JANICE SNIPES

did knowingly, willfully and unlawfully combine, conspire and agree together and with others, known and unknown, to commit offenses against the United States, that is, to possess with the intent to distribute, and to distribute, 50 grams or more of a mixture and substance containing a detectable amount of cocaine base, and 5 kilograms or more of a mixture and substance containing a detectable amount of cocaine, both Schedule II controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT NINE

Possession of Firearms in Furtherance of Drug Conspiracy

The Grand Jury Further Charges:

Beginning in or about January 2006, the exact date being unknown to the grand jury, and continuing thereafter up to the date of the Indictment, in the Western District of New York and elsewhere, the defendants:

AMAR SCOTT, a/k/a "A";
JOHN SIMMONS
YULANDER GREEN, a/k/a "L", "Lander";
JERRICK DENSON, a/k/a "D";
ISAIAH WOODS, a/k/a "Izzy";
MICHAEL JACKSON, a/k/a "Boosum" "Boots";
RUSSELL HAMPTON, a/k/a "TJ";
LAMAR SIMMONS, a/k/a "Lil' Daddy"
DEARICK SMITH, a/k/a "Lil D", "Ace";
DEREK TAYLOR, a/k/a "Swiff";
JEFFREY DENSON, a/k/a "Jeff", "Blue";
MICHAEL NESMITH;

in furtherance of a drug trafficking crime for which they may be prosecuted in a court of the United States, that is, a violation of Title 21, United States Code, Section 846 as set forth in Count 8 of this Indictment, the allegations of which are incorporated herein by reference, did knowingly and unlawfully possess firearms.

All in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT TEN

The Grand Jury Further Charges:

Between in or about January 2007, the exact dates being unknown, and in or about April 2008, in the Western District of New York, the defendants, **JERRICK DENSON, a/k/a "D", ISAIAH WOODS, a/k/a "Izzy", MICHAEL JACKSON, a/k/a "Boosum", "Boots", RUSSELL HAMPTON, a/k/a "TJ", DEREK TAYLOR, a/k/a "Swiff", CAMERON CHARLES, a/k/a "Cam", and JOSEPH LOVING**, did knowingly, intentionally and unlawfully use and maintain a place, that is, the premises at 55-57 Hazelwood Terrace, Rochester, New York, for the purpose of manufacturing and distributing cocaine and cocaine base, Schedule II controlled substances, and while managing and controlling the said premises, did knowingly, intentionally and unlawfully make available for use the place for the purpose of unlawfully manufacturing, storing and distributing the said controlled substances.

All in violation of Title 21, United States Code, Section 856(a) and Title 18, United States Code, Section 2.

COUNT ELEVEN

The Grand Jury Further Charges:

Between in or about May 2008, the exact dates being unknown, and on or about the 26th day of June 2008, in the Western District of New York, the defendants, **AMAR SCOTT, a/k/a "A", MARVIN SIMMONS, a/k/a "Jr", "Junior",** and **LYNNARD DAVIS** did knowingly, intentionally and unlawfully use and maintain a place, that is, the premises at 334 Grand Avenue, Rochester, New York, for the purpose of manufacturing and distributing cocaine and cocaine base, Schedule II controlled substances, and while managing and controlling the said premises, did knowingly, intentionally and unlawfully make available for use the place for the purpose of unlawfully manufacturing, storing and distributing the said controlled substances.

All in violation of Title 21, United States Code, Section 856(a) and Title 18, United States Code, Section 2.

COUNT TWELVE

The Grand Jury Further Charges:

On or about the 7th day of June 2008, in the Western District of New York, the defendants, **AMAR SCOTT, a/k/a "A", and MARVIN SIMMONS, a/k/a "Jr", "Junior"**, did knowingly, intentionally and unlawfully possess with the intent to distribute 5 grams or more of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT THIRTEEN

The Grand Jury Further Charges:

On or about the 26th day of June 2008, in the Western District of New York, the defendants, **MARVIN SIMMONS, a/k/a "Jr", "Junior", and LYNNARD DAVIS**, did knowingly, intentionally and unlawfully possess with the intent to distribute 5 grams or more of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT FOURTEEN

The Grand Jury Further Charges:

On or about the 6th day of August 2008, in the Western District of New York, the defendants, **YULANDER GREEN, a/k/a "L", "Lander",** and **JANICE SNIPES** did knowingly, intentionally and unlawfully possess with the intent to distribute 5 grams or more of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

COUNT FIFTEEN

The Grand Jury Further Charges:

On or about the 7th day of August 2008, in the Western District of New York, the defendant, **DEARICK SMITH, a/k/a "Lil D", "Ace",** did knowingly, intentionally and unlawfully possess with the intent to distribute a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT SIXTEEN

The Grand Jury Further Charges:

On or about the 7th day of August 2008, in the Western District of New York, the defendant, **DEARICK SMITH, a/k/a "Lil D", "Ace"**, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, a violation of Title 21, United States Code, Sections 841(a)(1) and 846, as set forth in Counts 8 and 15 of this Indictment, the allegations of which are incorporated herein by reference, did knowingly and unlawfully possess a firearm, namely, a Smith & Wesson, .32 caliber revolver, serial # AZ022844.

All in violation of Title 18, United States Code, Sections 924(c)(1) and 2.

COUNT SEVENTEEN

The Grand Jury Further Charges:

1st FORFEITURE ALLEGATION

Upon conviction of the offenses alleged in Counts 1, 8, 9, 15 or 16 of this Indictment, the defendant, **DEARICK SMITH a/k/a "Lil D" "Ace"**, shall forfeit to the United States, all of his right, title and interest in any firearm and ammunition involved or used in the commission of the offense, or found in the possession or under the immediate control of the defendant at the time of arrest including, but not limited to:

- a) Smith & Wesson, .32 caliber revolver, serial # AZ022844;
- b) rounds of .32 caliber ammunition.

All pursuant to the provisions of Title 18, United States Code, Sections 924(d) and 3665 and Title 28, United States Code, Section 2461(c).

COUNT EIGHTEEN

The Grand Jury Further Charges:

2ND FORFEITURE ALLEGATION

Upon conviction of the controlled substance offense alleged in Counts 8, 11 or 12 of this Indictment, the defendant, **AMAR SCOTT**, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation, including but not limited to the following:

- a) One (1) 1993 Acura Legend, bearing VIN JH4KA7652PC11395, currently registered to Amar Scott.

All pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2).

COUNT NINETEEN

The Grand Jury Further Charges:

3RD FORFEITURE ALLEGATION

Upon conviction of the controlled substance offense alleged in Counts 8 or 14 of this Indictment, the defendant, **YULANDER GREEN, a/k/a "L", "Lander"**, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation, including but not limited to the following:

- a) One (1) 1997 BMW 740, bearing VIN WBAGJ832XVDL40664, registered to Mary Whitt.

All pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2).

COUNT TWENTY

The Grand Jury Further Charges:

4TH FORFEITURE ALLEGATION

Upon conviction of the controlled substance offense alleged in Counts 8, 9 or 10 of this Indictment, the defendant, **JERRICK DENSON, a/k/a "D"**, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation, including but not limited to the following:

- a) One (1) 1996 Acura, bearing VIN JH4KA9646TC006262, currently unregistered.

All pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2).

COUNT TWENTY ONE

The Grand Jury Further Charges:

5TH FORFEITURE ALLEGATION

Upon conviction of the controlled substance offense alleged in Counts 8, 9 or 10 of this Indictment, the defendant, **MICHAEL JACKSON a/k/a "Boosum", "Boots"**, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation, including but not limited to the following:

- a) One (1) 1998 Mercedes Benz, bearing VIN WDBJF65F1WA621901, currently unregistered.

All pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2).

COUNT TWENTY TWO

The Grand Jury Further Charges:

6TH FORFEITURE ALLEGATION

Upon conviction of the controlled substance offense alleged in Counts 8 of this Indictment, the defendant, **JOHN SIMMONS**, shall forfeit to the United States any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation, including but not limited to the following:

- a) One (1) 1992 Mercedes Benz 300s, bearing VIN WDBGA32E8NA062722, registered to Contessa Jimmeson.

All pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2).

DATED: Rochester, New York, April 22, 2009.

KATHLEEN M. MEHLTRETTER
Acting United States Attorney

BY: s/Douglas E. Gregory
DOUGLAS E. GREGORY
Assistant United States Attorney
United States Attorney's Office
Western District of New York
100 State Street, Room 620
Rochester, New York 14614

A TRUE BILL:

s/FOREPERSON

FOREPERSON